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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of

CANALI et al.

Appln. No.: 09/784,330

Filed: February 16, 2001

Title: AUCTION BASED PROCUREMENT SYSTEM



Group Art Unit: 2151

Examiner: Not Assigned

\* \* \* \* \*

October 1, 2001

(September 30, 2001 = Sunday)

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

Hon. Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

Sir:

Responsive to the Notice to File Missing Parts dated May 30, 2001, submitted herewith is the original Rule 63 Declaration of the inventors Brendan Walsh, Luigi J.F. Canali, Stephen D. Candello, Gail M. Bergantino and Michael R. Hasslinger signed on behalf of themselves. Also, submitted herewith is the original Rule 63 Declaration of the inventors Felipe J. Fuster, Frank D. Banda and Jorn M. Schaffner signed by inventor Brendan Walsh on their behalf along with a Petition under 37 CFR 1.47(a) to accept the filing of the above-identified application by other than all of the inventors. In support of the Petition, submitted herewith are the Declarations of Brendan Walsh and Dale S. Lazar.

Further submitted herewith are a substitute specification and substitute drawing sheets, both of which have appropriate margins, a copy of the Notice to File Missing Parts Transmittal and the appropriate fee.

Respectfully submitted,

PILLSBURY WINTHROP LLP

By 

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Page 1 of 2



## FILING COMPLETION UNDER RULE 53(f)

(NOT PCT Applications)

For Design, Provisional, or Utility Applications

PATENT  
APPLICATIONCOMPLETION Under  
Rule 53(f)In re PATENT APPLICATION of

Inventor(s): CANALI et al.

Appln. No.:

09

784,330

Atty.Dkt.

P

278080

M#

Client Ref

Filed: February 16, 2001

Title: AUCTION BASED PROCUREMENT SYSTEM

Attn: Application Division

Hon. Commissioner of Patents  
Washington, DC 20231

Date: October 1, 2001

Sir:

The following completes the filing under Rule 53(f) of the above-identified patent application:

1. ☒ **Notice to File Missing Parts** ☒ copy attached ☐ not yet received
2. ☒ Signed Declaration attached. ☒ Original ☐ Facsimile/Copy

(Always "X" box 2 if filing signed Declaration and

"X" box 2A only if top box of the Declaration is X'd and file application copy, or"X" box 2B only if none of the top three boxes of the Declaration is X'd.)

- 2A. ☐ Attached: Original signed Declaration with attached specification (including claim(s)) which is a copy of specification and claim(s) originally filed to secure the above filing date.
- 2B. ☐ The original application as filed in the PTO on the above filing date is the application which each inventor executed by signing the attached Rule 63 Declaration.
3. ☐ Specification originally filed in non-English language; hence verified translation attached of:
- a. ☐ Abstract
- b. ☐ #  pages of Specification (only spec. & claims)
- c. ☐ Drawing(s)
- ☐ Fig(s). No of Sheets
4. ☐ Letter filing formal drawing attached.
5. ☐ Attached is an assignment and cover sheet. Please return the recorded assignment to the undersigned.
6. **DOMESTIC/INTERNATIONAL** priority is claimed under 35 USC 119(e)/120/365(c) based on the following provisional, nonprovisional and/or PCT international application(s):
- | Application No. | Filing Date       | Application No. | Filing Date |
|-----------------|-------------------|-----------------|-------------|
| (1) 60/183,154  | February 17, 2001 | (2)             |             |
| (3)             |                   | (4)             |             |
| (5)             |                   | (6)             |             |
7. **FOREIGN** priority is claimed under 35 USC 119(a)-(d)/365(b) based on filing in
- 8.

Application No.	Filing Date	Application No.	Filing Date
(1)		(2)	
(3)		(4)	
(5)		(6)	

Completion Under Rule 53(f)

9. \_\_\_\_\_ (No.) Certified copy (copies): ☐ attached; ☐ previously filed (date) \_\_\_\_\_  
in U.S. Application No. \_\_\_\_\_ filed on \_\_\_\_\_
10. Small Entity Status ☐ ☒ is Not claimed ☐ is claimed (file PAT-256 if this is the first claim of Small Entity Status)
11. ☒ Attached: Petition Under 37 C.F.R. 1.47(a), Declaration of Dale S. Lazar, Declaration of Brendan B. Walsh, Substitute Specification and Substitute Drawings
12. ☐ Preliminary Amendment:

**THE FOLLOWING FILING FEE IS BASED ON CLAIMS AS FILED LESS ANY ABOVE CANCELLED**

				Large/Small Entity		Fee Code
13. Basic Filing Fee . . . . . Design Application				\$330/\$165		106/26
. . . . . Not Design Application				\$740/\$370	+740	101/201
14. Total Effective Claims	129	minus 20 =	109	x \$18/\$9	+1962	103/203
15. Independent Claims	21	minus 3 =	18	x \$84/\$42	+1512	102/202
16. If any proper multiple dependent claim (ignore improper) is present, (Leave this line blank if this is a reissue application)				\$280/\$140	+0	104/204
17. Surcharge for filing Declaration/filing fee late				\$130/\$65	+0	105/205
18. <b>FILING FEE ENCLOSED =</b>				<b>\$4214</b>		
19. Original due date: September 30, 2001						
20. Petition is hereby made to extend the original due date to				(1 mo)	\$110/\$55 =	+0
cover the date this response is filed for which the requisite fee				(2mos)	\$400/\$200 =	115/215
is attached				(3mos)	\$920/\$460 =	116/216
				(4mos)	\$1,440/\$720 =	117/217
21. If "non-English" box 3 is X'd, add Rule 17(k) processing fee . . . . .				\$130	+0	139
22. If "assignment" box 5 is X'd, add recording fee . . . . .				\$40	+0	581
23. Petition Fee for Late Filing of Declaration				\$130	+130	
24. <b>TOTAL FEE ENCLOSED =</b>				<b>\$4344</b>		

Our Deposit Account No. 03-3975

Our Order No. 27396

278080

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**CHARGE STATEMENT:** The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official document under Rule 20, or credit any overpayment, to our Account/Order Nos. shown in the heading hereof for which purpose a duplicate copy of this sheet is attached. This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal form is filed.

Pillsbury Winthrop LLP  
Intellectual Property Group

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By Atty: Dale S. Lazar

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Atty/Sec: DSL/JPH:ksh

NOTE: File in duplicate with PTO receipt (PAT-103A) and attachments